

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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METRO FUEL, LLC,

Plaintiff,

-against-

CITY OF NEW YORK

07-CV-8244 (PAC)

Defendant.
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**NOTICE OF MOTION FOR SUMMARY
JUDGMENT**

PLEASE TAKE NOTICE that upon the declaration of Sheryl R. Neufeld, dated August 25, 2008 (and the Exhibits provided therewith), the declaration of Douglas Woodward, dated August 25, 2008, defendant's Statement Pursuant to Local Rule 56.1 dated August 25, 2008, and the accompanying memorandum of law, the undersigned will move this Court, before the Honorable Paul A. Crotty at the United States Courthouse for the Southern District of New York, located at 500 Pearl Street, New York, New York, for an order, pursuant to Rule 56 of the Federal Rules of Civil Procedure, granting summary judgment to the defendant on the ground that there are no material questions of fact and defendant is entitled to judgment as a matter of law.

PLEASE TAKE FURTHER NOTICE, pursuant to the Court's Scheduling Order, dated July 15, 2008, plaintiff shall file its opposition to this motion by September 25, 2008 and defendant shall file its reply to plaintiff's opposition by October 20, 2008.

Dated: New York, New York
August 25, 2008

MICHAEL A CARDOZO
Corporation Counsel of the City of New York
Attorney for Defendants

By 
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